

## **HB2823**

### **Schools; teachers; principals; evaluation systems**

#### **Provisions of bill inclusive of all Senate amendments**

##### **State Board of Education**

- Requires the board to adopt four performance classifications of “highly effective,” “effective,” “developing,” and “ineffective” and associated guidelines for school districts and charters to use in developing their evaluation instruments by December 1, 2012. Districts and charters must adopt their own definitions and begin to use these classifications in SY 2013-14.
- Allows the board to periodically make adjustments to the framework to align it with changes in assessment or data practices at the state level.

##### **Principal Evaluations**

- Requires district governing boards to adopt policies at a public meeting regarding:
  - The principal evaluation instrument, including the four performance classifications.
  - Alignment of professional development opportunities to the evaluation.
  - Incentives for principals in the two highest classifications, including multi-year contracts and/or incentives to transfer to D or F schools.
  - Transfer and contract policies for principals in the lowest performance classification.
- States required policies must be adopted and in effect by school year 2013-2014. Allows a principal’s contract to be made for up to three years, but does not allow the district to extend or negotiate the next contract until May of the second to last year of the contract.
- Allows a principal’s evaluation to be shared with other school districts or charter schools for hiring purposes.
- States for charter schools, the principal evaluation applies to the person at the school primarily responsible for overseeing instruction at the school.

##### **Teacher Evaluations**

- Requires that teachers make student learning the primary focus of the teacher’s professional time.
- States a teacher who is beginning their 4<sup>th</sup> year of employment and who is designated in the lowest performance classification may be offered a non-continuing status contract.
- Requires district governing boards to adopt teacher evaluation policies by school year 2013-2014, and requires the policies to describe:
  - Incentives for teachers in the highest performance classification, including multi-year contracts.
  - That a multi-year contract does not exclude the teacher from the provisions of law relating to due process and inadequate classroom performance.
  - That a teacher may decline a multi-year contract offer in favor of a one year contract.
  - Incentives for teachers in the two highest performance classifications to work at schools designated D or F schools.
  - Protections for teachers transferred to schools designated D or F schools, and/or if the principal of the school is designated in the lowest performance classification.
- States the policies must describe the following beginning in school year 2015-2016:
  - Support and consequences for teachers designated in the lowest performance classification.

- An intervention option for teachers designated in the lowest performance classification that includes the use of a performance improvement plan. The policy must specify this option may be used only once for each teacher.
- Dismissal policies pursuant to the statutory process for inadequate classroom performance for teachers who continue to be designated in the lowest performance classification after intervention has been provided.
- Dismissal policies pursuant to statute for teachers who are not provided intervention. Requires the policies to state that the dismissal process shall be implemented no later than the second consecutive year the teacher is designated in the lowest performance classification.
- Prohibits a continuing teacher who is in the lowest performance classification for two consecutive years from being transferred as a teacher to another school unless the teacher has been given notice of inadequate classroom performance, is subject to an improvement plan, and the governing board approves the transfer.
- Requires teachers to be observed at least twice per year as part of the evaluation process, and requires that the observation be a complete and uninterrupted lesson. Requires that the first and last observation be separated by at least 60 calendar days, and requires written observation results to be provided within 10 business days.
- Requires that persons conducting observations/evaluations be trained to do so.
- Clarifies copies of a teacher's evaluation report and performance classification held by the department are confidential and not a public record.
- Allows a teacher's performance classification and evaluation to be shared with school districts and charter schools inquiring about employment.
- Requires teacher transfer policies to take into consideration current distribution of teachers across all performance classifications.

#### **Department of Education**

- Requires the department to post best practices for implementation and assessment of teacher evaluation systems by September 15, 2012, at least one from:
  - A large school district located in a large county
  - A small school district located in a large county
  - One school district located in a small county.
  - One charter school.
- Requires the following information:
  - Implementation process for teacher/principal evaluation systems.
  - Evaluation weightings
  - Qualitative and quantitative elements used.
  - Methods by which the evaluations guide professional development.
  - Types of decisions for which the evaluations are used.
- Allows the department to develop an evaluation instrument that complies with the teacher-principal evaluation framework, for districts and charter schools.
- Allows the instrument to be piloted in school year 2012-2013.

#### **Classroom Site Fund**

- Beginning in school year 2014-2015, requires that an individual teacher's performance on the evaluation be a portion of the performance pay system required by Prop. 301.

- Requires that beginning in school year 2014-2015, individual performance on the evaluation. Account for not less than 33% of the performance pay distribution.

**Alternative Timeline**

- Allows school districts or charter schools to elect to postpone full implementation of the teacher/principal evaluation until school year 2013-2014 of the governing board adopts a plan that includes:
  - Before September 30, 2012:
    - A timeline to implementation by the 2013-2014 school year.
    - A plan for engaging teachers and other interested stakeholders.
    - A plan to determine how the evaluations will guide professional development.
  - Before December 31, 2012:
    - An instrument or instruments considered for the evaluation.
    - The percentage of the outcome of the evaluation in accordance with the teacher-principal evaluation framework.